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January 30, 2024

VIA ECF

Hon. Magistrate Judge Joseph A. Marutollo
U.S. District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Ronald Krick, et al. v. Raytheon Company, et al.*
Case No. 1:23-cv-08093-AMD-JAM

Dear Judge Marutollo:

In response to Defendants' letter dated January 29, 2024 [ECF No. 131] and the Court's order of the same date, Plaintiffs' counsel responds as follows.

Plaintiffs' counsel is informed and believes that the plaintiffs themselves do not currently possess copies of the requested settlement agreements and releases, which were likely executed around 24 years ago, in *In Re: Air Crash TWA, et al.*, Case No. 1:96-cv-07986-RWS ("the MDL.")

Prior plaintiffs' counsel in the MDL recently informed current plaintiffs' counsel that the requested settlement agreements and releases are highly confidential. Therefore, Plaintiffs cannot voluntarily breach the confidentiality provisions.

Plaintiffs will not oppose a narrowly-tailored subpoena issued to the MDL defendant(s) who drafted the settlement agreements and releases.

In the alternative, if the MDL defendant(s) agree in writing to waive the confidentiality provisions of the settlement agreements and releases, then Plaintiffs will also consent to disclosure.

Respectfully submitted,



Todd A. Walburg

TAW/wj

cc: All Counsel of Record (*via ECF*)